



Docket No.: A4072.0024/P024-A
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Subhas C. Kundu, et al.

Application No.: 10/628,227

Confirmation No.:

Filed: July 29, 2003

Art Unit: N/A

For: PHARMACEUTICAL SUSPENSIONS,
COMPOSITIONS AND METHODS

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Those patent(s) or publication(s) which are marked with an asterisk (*) next to the Cite No. in the attached form PTO/SB/08 are not supplied because they were previously cited by or submitted to the Office in a prior application number 09/621,623, filed July 21, 2000 and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. A4072.0024/P024-A. A duplicate copy of this paper is enclosed.

Dated: 11/5/03

Respectfully submitted,

By

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Substitute for form 1449A/PTO				Complete if Known	
				Application Number	10/628,227
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Filing Date	July 29, 2003
				First Named Inventor	Subhas C. Kundu, Ph.D.
				Art Unit	Not yet assigned
				Examiner Name	Not yet assigned
				Attorney Docket Number	A4072.0024/P024-A
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	2002/0028794*	03/07/2002	Brubaker et al.	
	AB	6,028,065*	02/22/2000	Ragunathan et al.	
	AC	5,712,310*	01/27/1998	Koch	
	AD	5,338,732*	08/16/1994	Atzinger et al.	
	AE	5,145,684*	09/08/1992	Liversidge et al.	
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	AN	3,356,573*	12/05/1967	Kirk et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

¹ Applicant's unique citation designation number (optional). ² See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	CO	Yu CD, Polyoxyethylene Castor Oil Derivatives, Handbook of Pharmaceutical Excipients, pp. 412-415, 3rd Ed., 1995*		
	CP	The Pharmacological Basis of Therapeutics; Agents Affecting Gastrointestinal Water Flux and Motility (Chap. 38), 1990*		
	CQ	The United States Pharmacopeia, United States Pharmacopeial Convention, Inc.; Polyoxyl/Official Monographs, pp. 2500-2501, 2000.*		

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